

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-4971

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ERNEST LEE ROGERS, JR.,

Defendant - Appellant.

No. 02-4972

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JONATHAN N. SMITH,

Defendant - Appellant.

No. 03-4219

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JERJUAN DEVULA JOYNER,

Defendant - Appellant.

Appeals from the United States District Court for the District of South Carolina, at Spartanburg. Margaret B. Seymour, District Judge. (CR-02-325)

Submitted: June 10, 2003

Decided: July 8, 2003

Before MICHAEL and MOTZ, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

C. Carlyle Steele, Jr., Greenville, South Carolina; Thomas G. Nessler, Jr., Greenville, South Carolina; W. Douglas Richardson, Jr., Easley, South Carolina, for Appellants. J. Strom Thurmond, Jr., United States Attorney, A. Lance Crick, Assistant United States Attorney, Nancy C. Wicker, Assistant United States Attorney, Greenville, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Ernest Lee Rogers, Jonathan Smith, and Jerjuan Joyner appeal their convictions in a jury trial of the following offenses: carjacking a vehicle transported in interstate commerce, and aiding and abetting each other in the carjacking, a violation of 18 U.S.C. §§ 2, 2119 (2000); using and carrying a firearm during a crime of violence, a violation of 18 U.S.C. §§ 2, 924(c)(1)(A)(ii) (2000); and conspiracy to use and carry a firearm during a crime of violence, a violation of 18 U.S.C. § 924(o) (2000). Finding no error, we affirm.

The only issue in these consolidated appeals is whether the district court erred in admitting into evidence a handgun that witnesses described as consistent with the gun used in the crime. Our review is for abuse of discretion. United States v. Queen, 132 F.3d 991, 995 (4th Cir. 1997). We find that the court did not abuse its discretion and therefore affirm the convictions and sentences of each of the appellants. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED